



3617

PATENT APPLICATION
Q-57442

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Bernard DABEZIES

Appln. No.: 09/462,206

Group Art Unit: 3617

Confirmation No.: 4790

Examiner: Frantz F. JULES

Filed: April 28, 2000

For: METHOD OF WELDING OVERLAPPING METAL SHEETS AND CORRESPONDING
RAILWAY CAR BODY

RESPONSE TO RESTRICTION REQUIREMENT

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed August 4, 2005, Applicant elects **with traverse** Invention I to which present claims 1-5 are drawn.

The Office Action does not acknowledge that the present case is a National Stage Entry of a PCT (International) Application (PCT/FR99/01172).

The unity of invention ("restriction" under U.S. practice) should be governed only by PCT regulations (see Article 27(1)PCT).

The unity of invention criteria are covered by Rule 13(2) PCT and section 131 of the applicant's guide of the PCT which quotes examples of combinations that comply with the unity criteria.

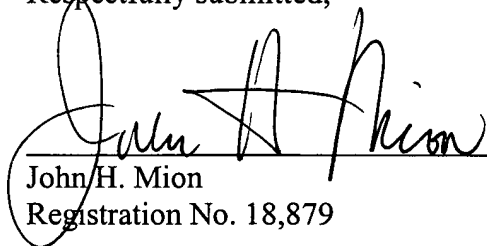
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Example i/ of this section makes it clear that a claim directed to a method of making a product and a claim directed to a use of this product necessarily satisfy these unity of invention criteria.

Since claims 6 and 7 are **limited** to the "method" of at least the independent **method** claim 1, it is clear that the "invention" **claimed** in each of the dependent claims 6 and 7 is not "distinct" from the "invention" **claimed** in claims 1-5. That is, the "welds" **as claimed** in claims 6 and 7 can be made **only** by the method recited in their respective parent claims.

Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw the restriction requirement, and to examine all of claims 1-7 in the present application. (All of the language of paragraph 2 on page 2 of the Office Action does not appear to apply to the present case; thus, Applicant respectfully requests Examiner Jules to **clarify** this paragraph 2 in the Examiner's next communication.)

Respectfully submitted,



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Date: September 2, 2005